

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of California

United States of America)

v.)

STANISLAV PETROV and MILAGRO MORAGA)

Case No.)

Defendant(s))

3-16-70451

SK

FILED
APR - 1 2016
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 8, 2016 in the county of San Francisco in the
Northern District of California, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. Section 922(g)

Felon in possession of a firearm;

18 U.S.C. Section 924(c)

Possession of a firearm in relation to drug trafficking;

18 U.S.C. Section 922(e)

Felon in possession of a firearm after three previous convictions for serious drug offenses or violent felonies;

21 U.S.C. Section 841(a)(1) and
846

Possession with intent to distribute methamphetamine; conspiracy

This criminal complaint is based on these facts:

Please see attached affidavit of FBI Special Agent Jenny Feng.

(Approved as to form AUSA Damali Taylor)

A.M. SCOBLE

☒ Continued on the attached sheet.

[Signature]
Complainant's signature

Jenny Feng Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 4-1-16

[Signature]
Judge's signature

City and state: San Francisco, CA

Hon. Sallie Kim, U.S. Magistrate Judge

Printed name and title

124

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FILED

APR - 1 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CRIMINAL COMPLAINT
FOR STANISLAV ALEXSANDROVICH
PETROV AND MILAGRO DEJESUS
MORAGA

CASE NO. 3-16-70451 SK

AFFIDAVIT OF FBI SPECIAL AGENT JENNY FENG IN SUPPORT OF COMPLAINT

FILED UNDER SEAL

I, Jenny Feng, Special Agent with the Federal Bureau of Investigation (FBI) being duly sworn,
hereby depose and state as follows:

I. BACKGROUND

A. Introduction

1. I submit this affidavit in support of a criminal complaint and arrest warrants for Stanislav Aleksandrovich PETROV and Milagro Dejesus MORAGA. There is probable cause that PETROV (a repeated convicted felon) and MORAGA, possessed a firearm and methamphetamine for use and distribution.

B. Agent qualifications

2. I am a Special Agent with the FBI and have been so employed since January 2015. I successfully completed 20 weeks of New Agent Training at the FBI Academy in Quantico, Virginia in

2

1 June 2015. During that time, I received training in physical surveillance, legal statutes and procedures,
2 financial investigations, money laundering techniques, asset identification, forfeiture and seizure,
3 confidential source management, and electronic surveillance techniques, including Title III monitoring.
4 Prior to becoming a Special Agent, I was employed by the FBI in April 2005 as an Investigative
5 Specialist for approximately seven years and a police officer for approximately three years.

6 3. I am currently assigned to the San Francisco Field Office investigating organized crime.
7 As part of these and other investigations, I have been involved in analyzing, collecting, and reviewing
8 social media content and criminal histories, and I have participated in several interviews, surveillances,
9 and execution of search and arrest warrants.

10 4. I am an investigative or law enforcement officer of the United States, within the meaning
11 of 18 U.S.C. § 2510(7), and am empowered by law to conduct investigations of and to make arrests for
12 offenses enumerated in 18 U.S.C. § 2516. My duties are to investigate violations of federal law,
13 including crimes involving the sale and distribution of narcotic substances. I have thoroughly discussed
14 the current investigation with several senior FBI agents who have conducted numerous organized crime
15 and drug investigations.

16 **C. PETROV and MORAGA**

17 5. **Stanislav Aleksandrovich PETROV (hereafter PETROV)** is a 29 year old legal
18 permanent resident of the United States resides in San Francisco, California. PETROV is currently on
19 probation issued in Santa Clara County for possession for sale of a controlled substance. As
20 demonstrated herein, there is probably cause to believe that on March 8, 2016, PETROV was illegally in
21 possession of a firearm and possession for sale of methamphetamine.

22 6. Criminal history: PETROV is a convicted felon and career criminal. In his lifetime thus
23 far, he has been charged with 43 felonies and 25 misdemeanors, of those, he was convicted of 5 felonies
24 and 3 misdemeanors. A criminal records check shows that he is associated with the Norteno gang. He
25 has had twelve failures to appear for vehicle violations. PETROV has a pattern of disregard for the law.
26 On November 12, 2015, PETROV was arrested by Alameda County Sheriff's Department. Officers
27 were approaching PETROV sitting in a stolen Mercedes Benz vehicle when he rammed the officers'
28 vehicles, drove up to 110 miles per hour to evade officers with wanton disregard for public safety, and



1 resisting arrest. A stolen loaded firearm was seized from the stolen vehicle PETROV was driving and
2 13.4 grams of methamphetamine was seized from PETROV's sock. The following is a list of his
3 convictions:

4 a. June 12, 2006, PETROV was arrested in San Francisco, California for driving
5 without a license. He was convicted of this misdemeanor and sentenced to five days in jail. He was also
6 charged for transporting methamphetamine for sale; convicted for this felony and sentenced to ninety
7 days in jail, three years probation, and fined.

8 b. December 16, 2006, PETROV was arrested in San Francisco, California for
9 receiving stolen property. He was convicted of this misdemeanor and sentenced to six days in jail.

10 c. March 12, 2007, PETROV was arrested in San Mateo, California for felony
11 reckless evading of a peace officer on two counts. He was convicted of the felony on both counts. For
12 one count, he was sentenced to eight months in jail, three years probation, and fined. On the second
13 count, he was sentenced to four months in jail, three years probation, and fined.

14 d. May 20, 2010, PETROV was arrested in San Francisco, California for
15 transporting methamphetamine for sale. He was convicted for this felony and sentenced to three years in
16 prison.

17 e. July 28, 2014, PETROV was arrested in Palo Alto, California for possession for
18 sale of narcotics (a felony) and possession of methamphetamine (a misdemeanor). He was convicted on
19 both charges and sentenced to 364 days in jail, three years probation, and fined.

20 7. PETROV's continuous disregard for the law and public safety makes him a danger to
21 officers and bystanders. On March 10, 2016, two days after his most recent arrest and a day after he was
22 released, he was accused of beating his ex-girlfriend while she was holding her one year old baby at 23
23 Teddy Avenue. On March 13, 2016, PETROV, driving his BMW, evaded a police officer during a
24 traffic stop. Both incidents were documented in San Francisco Police Department (SFPD) incident
25 reports.

26 8. **Milagro Dejesus MORAGA (hereafter MORAGA)** is a 24 year old United States
27 citizen believed to reside in San Francisco, California. On March 8, 2016, MORAGA was illegally in
28 possession of a firearm and possession for sale of a controlled substance. MORAGA has a restraining

1 order against her which prohibits her from possessing a firearm.

2 9. Criminal history: MORAGA has been known to associate with Norteno gang members,
3 to include being detained in a stolen vehicle with a known Norteno gang member. She is currently on
4 probation issued in South San Francisco for possession of a stolen vehicle. She has been charged with 20
5 felonies and 13 misdemeanors, of those, she was convicted of the following 2 misdemeanors:

6 a. May 26, 2012, MORAGA was arrested in Concord, California for unlawful
7 possession of drug paraphernalia. She was convicted and sentenced to 60 days in jail, two years
8 probation, and fined.

9 b. October 24, 2014, MORAGA was arrested in San Francisco, California for
10 possession of a stolen vehicle. She was convicted and sentenced to 30 days in jail and three years
11 probation.

12 **D. Statutes Violated**

13 10. Title 18, United States Code, Section 922(g)(1)(3) provides:

14 "It shall be unlawful for any person who has been convicted in any court of, (1) a crime
15 punishable by imprisonment for a term exceeding one year; (3) who is an unlawful user of or addicted to
16 any controlled substance, to ship or transport in interstate or foreign commerce, or possess in or
17 affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has
18 been shipped or transported in interstate commerce."

19 11. Title 18, United States Code, Section 924(c)(1)(A) provides:

20 "Except to the extent that a greater minimum sentence is otherwise provided by this subsection
21 or by any other provision of law, any person who, during and in relation to any crime of violence or drug
22 trafficking crime (including a crime of violence or drug trafficking crime that provides for an enhanced
23 punishment if committed by the use of a deadly or dangerous weapon or device) for which the person
24 may be prosecuted in a court of the United States, uses or carries a firearm, or who, in furtherance of any
25 such crime, possesses a firearm, shall, in addition to the punishment provided for such crime of violence
26 or drug trafficking crime be sentenced to a term of imprisonment of not less than 5 years."

27 12. Title 18, United States Code, Section 924(e)(1) provides:

28 "In the case of a person who violates section 922(g) of this title and has three previous

(6)

1 convictions by any court referred to in section 922(g)(1) of this title for a violent felony or a serious drug
2 offense, or both, committed on occasions different from one another, such person shall be fined under
3 this title and imprisoned not less than fifteen years, and, notwithstanding any other provision of law, the
4 court shall not suspend the sentence of, or grant a probationary sentence to, such person with respect to
5 the conviction under section 922(g)."

6 13. Title 21, United States Code, Section 841(a)(1) provides:

7 "It shall be unlawful for any person knowingly or intentionally to manufacture, distribute, or
8 dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance."

9 14. Title 21, United States Code, Section 846 provides:

10 "Any person who attempts or conspires to commit any offense...shall be subject to the
11 same penalties as those prescribed for the offense, the commission of which was the object of the
12 attempt or conspiracy."

13 **II. PROBABLE CAUSE**

14 **A. Evidence recovered from PETROV and MORAGA's room (hereafter ROOM)**

15 15. On March 8, 2016, FBI agents, assisted by SFPD officers, executed a federal search
16 warrant issued in the United States District Court for the Northern District of California signed on
17 March 3, 2016 by Chief Magistrate Judge Joseph C. Spero, for 23 Teddy Avenue, San Francisco,
18 California, 94134 (attached to and incorporated as reference – Attachment A). The search warrant was
19 regarding a cyber crime investigation unrelated to PETROV and MORAGA, however, during the course
20 of the residence search, PETROV and MORAGA were found together naked in bed in the ROOM
21 where the drugs and a firearm were found. Interviews of other occupants in the residence and indicia
22 demonstrated that PETROV is the resident of the ROOM where he was located.

23 16. Initially, in order for the house to be safely searched, PETROV, MORAGA and other
24 occupants of the house were detained, but not arrested. When asked if there were any firearms in the
25 house, MORAGA stated that she was aware of a firearm in a Louis Vuitton messenger bag in the
26 ROOM. During the search, the following evidence were recovered from the ROOM that PETROV and
27 MORAGA were found sleeping and were detained in:
28

(a)

1 a. A firearm, a Ruger P90 (serial number 661-79063) manufactured in Southport,
2 Connecticut, was found in a Louis Vuitton messenger bag hanging in plain view by the window. No
3 other items were in the bag.

4 b. Two cellular telephones belonging to PETROV were recovered. PETROV gave
5 verbal consent and provided passwords to search his phones. One video on his phone, dated February
6 22, 2016, shows an unidentified female handling the aforementioned firearm. In the video, PETROV is
7 telling the unidentified female to "take your finger off the trigger". PETROV is then heard telling an
8 unidentified third party that "...this crazy fucking white girl who's in here is playing with my gun."

9 c. On the phone are three pictures taken on March 1, 2016, of the Louis Vuitton
10 messenger bag where the firearm was located. Two of those pictures show PETROV's Gucci backpack
11 hanging directly above the Louis Vuitton messenger bag.

12 d. Three bags of suspected methamphetamine were found in plain view on the coffee
13 table. After seizure, SFPD conducted conclusive tests on each bag that yielded positive for
14 methamphetamine. Total weight of all three bags was 125.5 grams.

15 e. Two small bags of suspected heroin and methamphetamine were found inside a
16 padded slipper hanging on a shelf. SFPD's conclusive testing yielded positive for 3.8 grams of heroin
17 and presumptive testing yielded 5.8 grams of methamphetamine.

18 f. A bag of suspected methamphetamine was found on the book shelf. SFPD's
19 presumptive testing yielded positive for 14.0 grams of methamphetamine.

20 g. A weigh scale was found on the book shelf.

21 h. Six glass pipes, the type used to smoke methamphetamine, were found throughout
22 the room. One was found in PETROV's Gucci backpack.

23 i. Six pills of suspected oxycodone in an unlabeled pill bottle.

24 **B. Evidence that PETROV is the primary occupant of the ROOM at 23 Teddy Avenue**

25 17. As of March 8, 2016, PETROV admitted to residing at 23 Teddy Avenue, San Francisco,
26 California, 94134 for over a week, and said he was living in and out of the house for over two months.
27 The following items belonging to PETROV were found in the ROOM:
28

④

- 1 a. Framed and unframed photographs of PETROV were hanging on the wall.
2 Clothing found in the room such as a belt, were worn by PETROV and viewable in the photographs.
3 b. PETROV's pants containing his wallet and \$1,613.00 in cash.
4 c. PETROV's car keys.
5 d. Several videos show that PETROV occupies the ROOM, to include one of him
6 having sexual intercourse in the ROOM on February 19, 2016. In another video, dated February 24,
7 2016, PETROV stated, "So I'm right here in front of my house", as he sat in his Camaro parked in front
8 of 23 Teddy Avenue.
- 9 e. Indicia was found throughout the room with PETROV's name, such as mail, legal
10 documents, medical documents, and a prescription bottle. A receipt bearing PETROV's name and
11 address of 23 Teddy Avenue was also found in the ROOM.
- 12 f. Two cellular phones belonging to PETROV on the coffee table.
13 g. Online Tor Hidden Service website Atrium Market run by administrator
14 "petrovski" had an IP address linked to the residence.
- 15 h. On March 18, 2016, PETROV's BMW was repossessed in front of 23 Teddy
16 Avenue.
- 17 i. On March 20, 2016, SFPD conducted a traffic stop on PETROV in a Chevrolet
18 Camaro he admitted to owning. The camaro has been observed parked at 23 Teddy Avenue on several
19 occasions, most recently on March 29, 2016.

20 **C. Evidence that MORAGA was occupying the ROOM at 23 Teddy Avenue**

21 18. MORAGA has admitted to residing at 23 Teddy Avenue, San Francisco, California,
22 94134 since February 2016. MORAGA stated that the following items belonged to her:

- 23 a. A black backpack with personal items inside, found on the floor next to the bed.
24 b. A green hooded sweater on the bed with a small bag of marijuana in one of the
25 pockets.
26 c. One bag of methamphetamine on the coffee table.

27 **D. Conflicting statements made by PETROV and MORAGA**

28 19. After authorities finished searching the ROOM, PETROV and MORAGA were

1 separated, Mirandized by Inspector Chan of the SFPD, and interviewed.

2 a. MORAGA stated that she was room-sitting for "Alex" and had been there for
3 about three weeks. She said she did not know about the firearm in the ROOM. However, that
4 contradicted her earlier statement that she was aware of a firearm in the Louis Vuitton bag in the ROOM
5 (see paragraph 15). She admitted that the marijuana found in her hooded sweater belonged to her. She
6 initially stated that all three bags of methamphetamine on the coffee table were hers, however, after
7 agents advised that she should not lie, she revised her statement and stated the "powdery" and "shittier"
8 bag of methamphetamine belonged to her, which she purchased for \$350.00 at the corner of 16th and
9 Mission Streets, San Francisco. MORAGA said she did not know who the other two bags of higher
10 quality methamphetamine belonged to. She had smoked methamphetamine for three years, quit for a few
11 months, then started again recently. MORAGA said that the pipe found on the coffee table was hers. She
12 stated that she shared her bag of methamphetamine with everyone in the house. She did not know who
13 the other drugs found in the room belonged to. She said that the \$1,500.00 in PETROV's wallet was
14 from her tax returns. She stated that she was dating PETROV and had put up the pictures of him on the
15 wall. Other than the black backpack and hooded sweater, no other clothing or indicia of MORAGA were
16 found in the ROOM.

17 b. PETROV stated that the only items that belonged to him in the ROOM was the
18 Gucci backpack that included a pipe he admitted to owning, the bottle of pills, and \$1,613 in his wallet
19 that he said was money he got from his mother. He said a black suitcase belonging to him might be in
20 the room. He claimed the ROOM and the items therein belonged to Anthony. He said he had never seen
21 the firearm found in the ROOM. He did not know where the drugs came from but that he did smoke
22 some of the methamphetamine on the coffee table.

23 III. CONCLUSION

24 20. Based upon the foregoing, I believe there is probable cause that PETROV violated Title
25 18, United States Code, Section 922(g)(1)(3) when:

- 26 a. PETROV was convicted of five felonies and currently serving a 3 year probation.
- 27 b. PETROV was found with a firearm and drugs in his room at his residence.
- 28 c. PETROV and MORAGA are admitted methamphetamine users and had a firearm

1 in their possession.

2 21. Based upon the foregoing, I believe there is probable cause that PETROV violated Title
3 18, United States Code, Section 924(c)(1)(A) when:

4 a. PETROV had a substantial amount of drugs in their possession for sale and
5 distribution in close proximity to a loaded firearm. Based on my training, experience, as well as
6 numerous discussions with various FBI agents and other members of law enforcement, I know that it is
7 common for drug dealers to deal/possess weapons and exchange drugs for such weapons or goods, and
8 weapons are commonly used by drug dealers as an item of investment and for protection from robberies
9 by other drug dealers. Narcotics traffickers keep weapons in their residences to protect themselves from
10 robbery and to protect themselves from arrest by law enforcement officers.

12 22. Based upon the foregoing, I believe there is probable cause that PETROV violated Title
13 18, United States Code, Section 924(e)(1) when:

14 a. PETROV has had three prior felony convictions for selling drugs.

15 23. Based upon the foregoing, I believe there is probable cause that PETROV and MORAGA
16 violated Title 21, United States Code, Sections 841(a)(1) and 846 when:


18 a. PETROV and MORAGA had a substantial amount of illegal narcotics in their
19 possession. The amount of methamphetamine is consistent with possession for sale and/or distribution,
20 rather than for personal use. Furthermore, MORAGA admitted to sharing methamphetamine with
21 everyone at the residence.

22 24. Based on the foregoing, I request that a Criminal Complaint issue for the PETROV and
23 MORAGA listed in Part B of Section I of this Affidavit, based upon Probable Cause as described in
24 Section II of this affidavit. In summary, as follows:

| Defendant | Offense | Penalty |
|-----------|---------------------|--|
| PETROV | 18 USC 922(g)(1)(3) | 10 years maximum imprisonment; \$250,000.00 fine. |

| | | | |
|---|------------|---------------------|---|
| 1 | PETROV | 18 USC 924(c)(1)(A) | 5 years mandatory minimum imprisonment |
| 2 | PETROV | 18 USC 924(e)(1) | 15 years mandatory minimum imprisonment |
| 3 | | | |
| 4 | PETROV and | 21 USC 841(a)(1) | 5 years mandatory minimum imprisonment |
| 5 | MORAGA | | |
| 6 | PETROV and | 21 USC 846 | See related charges and penalties. |
| 7 | MORAGA | | |

8
9 Under penalty of perjury, I swear that the foregoing is true and correct to the best of my knowledge,
10 information, and belief.

11
12 
13 Jenny Feng
14 Special Agent
Federal Bureau of Investigation

15 Sworn to and subscribed before me
16 this 1 day of ~~March~~ ^{April}, 2016

17 
18 SALLIE KIM
United States Magistrate Judge

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